

# EXHIBIT M

SONIA SHAUN OWEN  
UNITED STATES vs STATE OF GEORGIA

December 12, 2022

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UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF GEORGIA

United States of America,

No.

1:16-CV-03088-ELR

Plaintiff,

vs.

State of Georgia,

Defendant.

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VIDEOTAPED ZOOM DEPOSITION OF

SONIA SHAUN OWEN

December 12, 2022

9:06 a.m.

Atlanta, Georgia

Marcella Daughtry, RPR, RMR  
Georgia License No. 6595-1471-3597-5424  
California CSR No. 14315

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1 that change took place or if they were separate at one  
2 point in time.

3 Q Okay. And I just want to make sure from a  
4 visual standpoint that I also have a clear picture of how  
5 your division -- like what falls underneath your  
6 division. So I'm going to share another document with  
7 you.

8 I'd like for the court reporter -- let me make  
9 sure this is on the screen. I'd like the court reporter  
10 to mark this next document as Plaintiff's -- Plaintiff's  
11 Exhibit 697.

12 (Plaintiff's Exhibit 697 was marked for  
13 identification.)

14 Q BY MS. HAMILTON: And Ms. Owen, I am now  
15 showing you Plaintiff's Exhibit 697. This is an  
16 October 9th, 2020 e-mail from Matt Jones with the subject  
17 line "Announcements." The "To" line also lists Matt  
18 Jones' name. It's not clear if this was sent out like as  
19 a blind carbon copy document or not, but the main thing  
20 I'm going to have you focus on is the attachment.

21 For the record, the Bates number on this  
22 document has -- for the first page is GA01852181. And as  
23 I mentioned, there's also an attachment.

24 Ms. Owen, I am going to give you control of the  
25 screen in a moment so that you can scroll through just to

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1 become familiar with what's on the screen, and then when  
2 you are ready, let me know.

3 A Okay.

4 Q And again, the main thing I will be focused on  
5 during this discussion is on the attachment, which is  
6 page 2.

7 A Okay.

8 Q All right. And I want to make sure you can  
9 also see this document clearly.

10 All right. So focusing on the attachment, do  
11 you recognize this document?

12 A I do.

13 Q Okay. What is this document?

14 A It's the org chart for the Department of Ed.

15 Q Okay. And I want to note for the record, at  
16 the bottom, this particular document has an effective  
17 date of October 9th, 2020.

18 Ms. Owen, do you see that?

19 A I --

20 Q It's in the bottom left corner.

21 A There's -- there's no way that -- I can scroll  
22 up and down, but I can't -- I can't scroll over.

23 Q There's a bar at the very bottom of the screen.  
24 Okay.

25 A I don't -- I don't know if the zoom thing is

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1 give you a chance to confirm the date that was in the  
2 bottom left corner.

3 A Yeah, I can't -- I can't see it.

4 Q Okay. Let me see if I can adjust it for you.  
5 Can you see -- can you see the bottom left corner now  
6 where the mouse is?

7 A Let me move. Hold on. No, I -- I can't see it  
8 on mine.

9 Q Okay. Let me see if I can move this up. Okay.  
10 Can you see it now?

11 A There you go. Now I can see, yes. Yes, I can  
12 see it.

13 Q Okay. My apologies that the -- your -- the  
14 view that you have is different from -- from what I can  
15 see.

16 All right. So just to confirm for the record,  
17 given that confusion there, can you please confirm that  
18 the date on this document has -- that this document has  
19 an effective date of October 9th, 2020?

20 A Yes.

21 Q Okay. And I want to focus our time just  
22 looking at the part of the organizational chart for  
23 federal programs, and I just want to give you a brief  
24 moment to look at this to confirm whether this is --  
25 these programs still fall within your division.

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1 A So one change on here is that MTSS is now part  
2 of the Division of Whole Child.

3 Q Thank you. Are there any other changes?

4 A That's the -- that's the only thing that I see.

5 Q And the Georgia Network for Educational and  
6 Therapeutic Support Program, or GNETS, is also listed  
7 within your division; is that correct?

8 A Yes.

9 Q And is that referencing the individuals who you  
10 mentioned a moment ago who serve as the GNETS program  
11 manager and specialist?

12 A Yes.

13 Q I'm going to stop sharing. Okay.

14 All right. I just put a new document on the  
15 screen that I would like for the court reporter to mark  
16 as Plaintiff's Exhibit 698.

17 (Plaintiff's Exhibit 698 was marked for  
18 identification.)

19 Q BY MS. HAMILTON: And Ms. Owen, I am now  
20 showing you Plaintiff's Exhibit 698. This is a  
21 September 9th, 2016 e-mail from superintendent Richard  
22 Woods to DOE -- "DOE Users" and "Other Agency Users" with  
23 a subject line, "Revised -- Revised Organizational Chart  
24 and Strategic Plan." The Bates number on the first page  
25 is GA01764366, and this document has an attachment.

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1 A I do. I don't know -- I don't know if that was  
2 a typo.

3 Q Okay. But do you see that here?

4 A But yeah, I -- I see it. I see it, uh-huh.

5 Q Okay. What was your understanding of why  
6 Ms. Cleveland wanted to set a monthly standing meeting?

7 A So I think it was just to continue what she had  
8 been doing with Nakeba.

9 Q Okay. And then to the extent that it appears  
10 here that you would propose let's do weekly, do you know  
11 or remember if those meetings actually did take place  
12 weekly?

13 A I -- I don't recall. This was -- this was  
14 4/29. It -- I really -- I don't recall because I had so  
15 many meetings at that time. But I do remember, you know,  
16 of the programs, hers would be the one, and I do remember  
17 weekly meetings at some point. I just don't know when  
18 they started.

19 Q Okay. And this -- this e-mail exchange was at  
20 the end of April 2020; is that right?

21 A Yes.

22 Q All right. I'm going to show you another  
23 document, and I'd like for the court reporter to mark  
24 this as Plaintiff's Exhibit 702.

25 (Plaintiff's Exhibit 702 was marked for

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1 identification.)

2 Q BY MS. HAMILTON: This is an August 19th, 2020  
3 e-mail from Vickie Cleveland to Shaun Owen and Zelphine  
4 Smith-Dixon with the subject line "Weekly agenda." The  
5 Bates number of the first page of this document is  
6 GA05057496, and there's also an attachment.

7 Ms. Owen, I will give you -- see if you still  
8 have control. Okay. I will give you control just to  
9 take a look at the document, and let me know when you are  
10 ready.

11 A Okay. Okay.

12 Q All right. Great. So as I mentioned a moment  
13 ago, the subject line here says "Weekly agenda," and this  
14 is from Vickie Cleveland, addressed to you and Zelphine  
15 Smith-Dixon.

16 Is Ms. Cleveland referring to the weekly  
17 meetings that she would have been having with you and  
18 Zelphine Smith-Dixon?

19 MS. JOHNSON: Object to form.

20 THE WITNESS: I'm sorry. I'm sorry. Could you  
21 repeat that?

22 Q BY MS. HAMILTON: Sure. So Ms. Cleveland  
23 e-mailed you and Zelphine Smith-Dixon, and here in her  
24 e-mail she says, "See attached agenda for our meeting  
25 today," with the subject line of "Weekly agenda."



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1 to understand, are there any action items that she would  
2 be expecting from you in sharing this particular update  
3 with you, for example?

4 MS. JOHNSON: Object to form.

5 THE WITNESS: I would -- okay. Is there any  
6 action items? I would have to read through it again to  
7 see whether or not there was anything that came out of  
8 that. With the -- with the budget there was -- I recall  
9 there was an action item where she wanted me to -- to  
10 meet with budget to see if they could -- they could go  
11 in. It's not something I think that -- particularly that  
12 particular person would do typically in their role, but  
13 again, you know, we're trying to be very transparent.  
14 And so for that, I think the request was for me to -- to  
15 actually reach out in my capacity to see if -- if I could  
16 get that moving along.

17 Q BY MS. HAMILTON: I see. Okay. And then the  
18 same for LEA collaborative or the supplemental  
19 instruction assessment. Is there any action item, like  
20 if you are looking at this, that would have been expected  
21 of you, or were those purely just updates?

22 A Let's see. No, this -- so this is an update,  
23 because the board item -- this is 2020, so I don't know  
24 if it was all combined. So we -- anyhow, the last board  
25 item I saw, which was not this one, had the GNETS

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1 allocation, state and federal i-Ready, and then for --  
2 and then you will see down there the 11 for the GNETS  
3 receiving the therapeutic support. So this would be an  
4 update on the board item, which would have already gone  
5 through.

6 So again, just, you know, as grants go and  
7 contracts go, particularly if you have to have a contract  
8 that's tied to a grant like this one does, just to keep  
9 us, you know, updated as far as how things are  
10 progressing.

11 Q Okay. And since we are talking about the  
12 therapeutic support topic here, I guess, what grant --  
13 what grant is she referring to?

14 A So that's a -- and I'm trying to think of a --  
15 it's around a \$900,000 grant, and from what Vickie shared  
16 with me, I think that was based off of a needs assessment  
17 that Nakeba had conducted for the -- the sites that  
18 typically had a greater need and potentially less  
19 funding, so that they could get additional funding to  
20 provide the additional therapeutic supports for the  
21 licensed clinical social worker and the master's of  
22 social work, so that -- that additional therapeutics  
23 could be provided. And we're still -- we're still doing  
24 that.

25 Q Okay. And then going back up to strategic plan

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1 to do a quick time check. Patrick, can you let us know  
2 how long we've been going?

3 THE VIDEOGRAPHER: We are pushing six and a  
4 half hours at this point.

5 Q BY MS. HAMILTON: All right. Ms. Owen, I want  
6 to transition now to talk a bit about funding and budget  
7 responsibilities that you have as deputy superintendent,  
8 particularly as it pertains to GNETS.

9 In the Governor's budget each year, GNETS has a  
10 line item, correct?

11 A Correct.

12 Q How much did GNETS receive for the current  
13 fiscal year total?

14 A I don't have exact in front of me, but it was  
15 approximately 53 million in state funds, 7.3 million in  
16 federal funds. Around 900,000 in -- that went to the 11  
17 sites for additional therapeutic support. Around 92,000  
18 for i-Ready to support math and English language arts  
19 instruction. And then I believe through ESSER, we  
20 received a three-year grant that may be around 3 million  
21 total that was specifically designed for a three-year  
22 increment; 60,000 a year going to the 24 GNETS facilities  
23 specifically and only for therapeutic supports and  
24 services.

25 And I believe that we received -- when the

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1 budget cuts came originally, I believe in 2020, when we  
2 were talking about the 10 percent decline earlier, I  
3 believe we received maybe 6 million -- I don't have the  
4 board item in front of me -- for -- to make up the  
5 difference of the 10 percent cut that we were -- we were  
6 looking at, that went out by an allocation similar to the  
7 methodology used for the preliminary allocations.

8 So that's -- and I may be missing something,  
9 but I -- I think that's primarily -- I think that's  
10 primarily it.

11 Q Okay. Particularly for the state and federal  
12 allotment, you mentioned 53 million for state, 7.3  
13 million for federal, so is that accurate to say that from  
14 the state grant and the federal funds, that that's around  
15 60 million that they received this school year?

16 A Yeah, around there.

17 Q Okay. And I know you mentioned the budget  
18 cuts. What's been the range of the GNETS total state and  
19 federal allotments over the last few years?

20 A It's been in that -- in that range. I think  
21 three years ago there was a -- there was a drop. There  
22 was actually a -- there's been a decline. I think a  
23 couple of years ago it was almost at 70 million, then it  
24 went to 60 million. Again, I don't have the board item  
25 in front of me, but then I noticed a notable drop, and so

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1 5:01 p.m.)

2 THE VIDEOGRAPHER: We are back on the record at  
3 5:01. Please proceed.

4 Q BY MS. HAMILTON: Ms. Owen, I'm just going to  
5 ask you a few other questions about other things related  
6 to the GNETS program. Are you familiar with the GNETS  
7 strategic plan?

8 A Yes.

9 Q Okay. And what is the strategic plan?

10 A It's a -- it's a six-part plan that the GNETS  
11 facilities have to complete every year and then evaluate  
12 that, and then it also ties into their budget. So they  
13 are looking at six different areas, and then providing  
14 evidence of whether it's operational or emergent or  
15 nonexistent.

16 Q Okay. What are those six areas?

17 A It's leadership and accountability. It's  
18 therapeutics and behavioral support. It's academic  
19 instruction. It's financial and fiscal management. It's  
20 engage -- I know this isn't exactly, but engagement with  
21 community support and parent is, I think, one of them.  
22 And then the last one is the actual fiscal -- physical  
23 structures.

24 Q And what role, if any, does the strategic plan  
25 play with regard to the funding for the GNETS program?